

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

MATTHEW WAYNE FREEZE,)	
Institutional ID No. 41286-179,)	
)	
Plaintiff,)	
)	
V.)	CIVIL ACTION NO.
)	5:08-CV-186-C
EILEEN KENNEDY, Warden,)	
Price Daniel Unit,)	
)	
Defendant.)	

ORDER

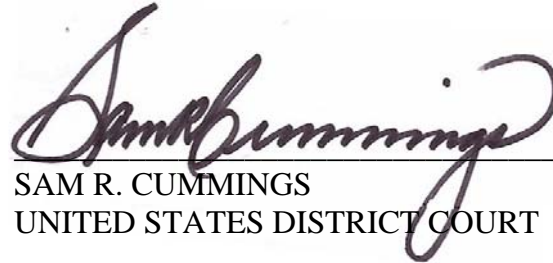
The United States Magistrate Judge entered a Report and Recommendation on May 19, 2009, wherein the Magistrate Judge recommended that Plaintiff Matthew Wayne Freeze's Notice of Dismissal (Doc. 28) be granted pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, and that Plaintiff's notice of dismissal should operate as an adjudication on the merits;, therefore, Plaintiff's complaint and all claims alleged therein should be DISMISSED WITH PREJUDICE. No objections have been filed.

The Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED that Plaintiff's complaint and all claims alleged therein are DISMISSED WITH PREJUDICE, and any pending motions are denied.

Judgment shall be entered accordingly. Dismissal of this action does not release Plaintiff or the institution where he is incarcerated from the obligation to pay any filing fee previously imposed. *See Williams v. Roberts*, 116 F.3d 1126, 1128 (5th Cir. 1997).

Dated June 15, 2009.



SAM R. CUMMINGS
UNITED STATES DISTRICT COURT